

REMARKS***Summary of the Amendment***

Upon entry of the instant amendment, claims 1 – 11, 13 – 27, and 29 – 43 will have been canceled without prejudice or disclaimer. Moreover, Applicants expressly reserve the right to refile the subject matter of the canceled claims in one or more continuing application. Accordingly, claims 12 and 28 currently remain pending.

Summary of the Advisory Action

In the Advisory Action of May 28, 2008, the Examiner acknowledged claims 12 and 28 would be allowed if presented in a separate timely filed amendment canceling the non-allowed claims. By the present amendment and remarks, Applicants submit that the rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Acknowledgement of Allowable Subject Matter

Applicants gratefully acknowledge and agree with the Examiner's indication that claims 12 and 28 are allowed.

Amendment is Proper for Entry

Applicants note, as the instant amendment complies with the Examiner's requirement in presents the merely presents claims containing allowable subject matter into independent and allowable form, no question of new matter is raised and no new issues for consideration by the Examiner are presented by this amendment. Therefore, entry of this amendment is proper and respectfully requested.

Rejection Under 35 U.S.C. § 102(b) is Moot

Applicants submit the rejection of claims 17 and 43 under 35 U.S.C. § 102(b) as being

anticipated by IWASE (U.S. Patent No. 6,255,008) is moot.

While Applicants do not agree that the invention is anticipated by IWASE, in an effort to advance prosecution, Applicants have canceled claims 17 and 43 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claims 17 and 43 under 35 U.S.C. § 102(b) is moot.

Rejections Under 35 U.S.C. § 103(a) are Moot

1. Over Iwase in view of Cabasso

Applicants submit the rejection of claims 1, 2, 4, 9, 16, 33, 34, 36, 37, and 41 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO et al. (U.S. Patent No. 6,987,163) [hereinafter “CABASSO”] is moot.

While not agreeing that the invention is rendered unpatentable over any proper combination of IWASE in view of CABASSO, Applicants, in an effort to advance prosecution, have canceled claims 1, 2, 4, 9, 16, 33, 34, 36, 37, and 41 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claims 1, 2, 4, 9, 16, 33, 34, 36, 37, and 41 under 35 U.S.C. § 103(a) is moot.

2. Over Iwase in view of Cabasso and further in view of Komatsu

Applicants submit the rejection of claims 3, 5, 10, and 35 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO and further in view of KOMATSU et al. (U.S. Patent No. 6,917,179) [hereinafter “KOMATSU”] is moot.

While not agreeing that the invention is rendered unpatentable over any proper combination of IWASE in view of CABASSO and further in view of KOMATSU, Applicants, in an effort to advance prosecution, have canceled claims 3, 5, 10, and 35 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claims 3, 5, 10, and 35 under 35 U.S.C. § 103(a) is moot.

3. Over Iwase in view of Cabasso and further in view of Isogai

Applicants submit the rejection of claims 6, 7, 24 – 26, 38, and 39 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO and further in view of ISOGAI (U.S. Patent Application Publication No. 2004/0219409) is moot.

While Applicants do not agree that the invention is rendered unpatentable over any proper combination of IWASE in view of CABASSO and further in view of ISOGAI, in an effort to advance prosecution, Applicants have canceled claims 6, 7, 24 – 26, 38, and 39 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claims 6, 7, 24 – 26, 38, and 39 under 35 U.S.C. § 103(a) is moot.

4. Over Iwase in view of Cabasso and Komatsu and further in view of Isogai

Applicants submit the rejection of claim 11 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO and further in view of KOMATSU and ISOGAI is moot.

While Applicants do not agree that the invention is rendered unpatentable over any proper

combination of IWASE in view of CABASSO and further in view of KOMATSU and ISOGAI, in an effort to advance prosecution, Applicants have canceled claim 11 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of this canceled claim in one or more continuing applications.

Accordingly, Applicants submit the rejection of claim 11 under 35 U.S.C. § 103(a) is moot.

5. Over Iwase in view of Cabasso and further in view of Yoon

Applicants submit the rejection of claims 13 – 15 and 42 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO and further in view of YOON et al. (U.S. Patent No. 6,160,382) [hereinafter “YOON”] is moot.

While not acquiescing that Applicants’ invention is rendered unpatentable over any proper combination of IWASE in view of CABASSO and further in view of YOON, Applicants have, in an effort to advance prosecution, canceled claims 13 – 15 and 42 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claims 13 – 15 and 42 under 35 U.S.C. § 103(a) is moot.

6. Over Iwase in view of Cabasso

Applicants submit the rejection of claims 18, 19, and 21 – 23 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO is moot.

While not agreeing that the invention is rendered unpatentable over any proper combination of IWASE in view of CABASSO, Applicants have, in an effort to advance prosecution, canceled claims 18, 19, and 21 – 23 without prejudice or disclaimer. However,

Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claims 18, 19, and 21 – 23 under 35 U.S.C. § 103(a) is moot.

7. Over Iwase in view of Cabasso and further in view of Komatsu

Applicants submit the rejection of claim 20 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO and further in view of KOMATSU is moot.

While Applicants do not agree that the invention is rendered unpatentable over any proper combination of IWASE in view of CABASSO and further in view of KOMATSU, in an effort to advance prosecution, Applicants have canceled claim 20 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claim 20 under 35 U.S.C. § 103(a) is moot.

8. Over Iwase in view of Cabasso and further in view of Woodward

Applicants submit the rejection of claim 27 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO and further in view of WOODWARD et al. (U.S. Patent No. 4,563,630) [hereinafter “WOODWARD”] is moot.

While Applicants do not agree that the invention is rendered unpatentable over any proper combination of IWASE in view of CABASSO and further in view of WOODWARD, in an effort to advance prosecution, Applicants have canceled claim 27 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claim 27 under 35 U.S.C. § 103(a) is moot.

9. Over Iwase in view of Yoon

Applicants traverse the rejection of claims 29 – 31 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of YOON is moot.

While not agreeing that the invention is rendered unpatentable over any proper combination of IWASE in view of YOON, Applicants have, in an effort to advance prosecution, canceled claims 29 – 31 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claims 29 - 31 under 35 U.S.C. § 103(a) is moot.

10. Over Iwase in view of Cabasso and further in view of Woodward

Applicants submit the rejection of claims 8 and 40 under 35 U.S.C. § 103(a) as being unpatentable over IWASE in view of CABASSO and further in view of WOODWARD is moot.

While not acquiescing that the invention is rendered unpatentable over any proper combination of IWASE in view of CABASSO and further in view of WOODWARD, Applicants have, in an effort to advance prosecution, canceled claims 8 and 40 without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the canceled claims in one or more continuing applications.

Accordingly, Applicants submit the rejection of claims 8 and 40 under 35 U.S.C. § 103(a) is moot.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

The undersigned authorizes the charging of any necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, to Deposit Account No. 19 - 0089 in order to maintain pendency of this application.

CONCLUSION

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 12 and 28. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
Zeev ALEYRAZ et al.

A handwritten signature in black ink, appearing to read 'Neil F. Greenblum', written over a horizontal line.

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